

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COOKEVILLE DIVISION**

KEVIN DOUGLAS DYER,

Plaintiff,

v.

**PUTNAM COUNTY SHERIFF'S
DEPARTMENT et al.,**

Defendants.

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**No. 2:11-cv-00021
Judge Sharp**

ORDER

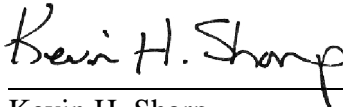
The plaintiff is a resident of Bloomington Springs, Tennessee. He brings this *pro se* action under 42 U.S.C. § 1983. (Docket No. 1). The plaintiff has submitted an application to proceed *in forma pauperis*. (Docket No. 2).

It appears from the plaintiff's application that he cannot afford to pay the filing fee. Therefore, the Clerk will **FILE** the complaint *in forma pauperis*. 28 U.S.C. §§ 1915(a). However, process shall not issue.

As provided in the accompanying memorandum, the complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted. 28 U.S.C. §§ 1915(e)(2)(ii) and 1915A(b)(1). Because an appeal would **NOT** be taken in good faith, the plaintiff is **NOT** certified to pursue an appeal from this judgment *in forma pauperis*. 28 U.S.C. § 1915(a)(3). Nevertheless, should the plaintiff decide to file a notice of appeal, he either must pay the Clerk of Court the full four hundred fifty-five dollar (\$455.00) appellate filing fee, or submit a new application to proceed *in forma pauperis*.

Entry of this Order shall constitute the judgment in this action.

It is so **ORDERED**.



Kevin H. Sharp
United States District Judge